



10-05-06

FW

P/546-279 Reissue

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Date: October 3, 2006

William STERN

Confirmation No.: 8408

Reissue Serial No.: 10/774,358

Group Art Unit: 1616

Reissue Appln. Filed: February 5, 2004

Examiner: Mina Haghighatian

Reissue of U.S. Patent No. 6,440,392

Issued: August 27, 2002

For: NASAL CALCITONIN FORMULATION

Mail Stop Reissue

Commissioner for Patents

P.O. Box 1450

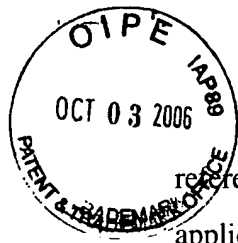
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Submitted herewith is a copy of the Answer to Complaint for Patent Infringement, Affirmative Defenses and Counterclaims ("Answer"), submitted to the Court in connection with the civil action for patent infringement discussed in the prior Information Disclosure Statement mailed September 22, 2006. In the Answer, Defendants allege that Applicant's original U.S. Patent No. 6,440,392 is invalid and unenforceable for a large number of reasons. See, for example, pages 11-15 of the Answer.

Because the enclosed document has been known to applicant for less than three months, no fee is believed due. However, if any fee is due, the Office is authorized to charge Deposit Account No. 15-0700. The U.S. patent attached as an exhibit to the Answer is not a new



reference, but is instead Applicant's original patent of which the present application is a reissue application.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EV605030629US) in an envelope addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 3, 2006:

Cheryl Desvignes

Name of Person Mailing Correspondence


Signature

October 3, 2006

Date of Signature

WOG:db

Enclosures

Respectfully submitted,



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OCT 03 2006

APPLICANT'S ART CITATION

(Use several sheets if necessary)

Application 10/774,358

ORGS File No. P/546-279 Reissue

Applicant William STERN

Filing Date February 5, 2004

Group Art Unit 1616

U.S. PATENT DOCUMENTS (not submitted for applications filed after 6/30/03)

Examiner Initial	Document Number	Date MM-YYYY	Name	Class	Sub-class	Filing Date If Appropriate
	US-					
	US-					
	US-					
	US-					
	US-					
	US-					
	US-					
	US-					

FOREIGN PATENT DOCUMENTS

	Document Number	Date MM-YYYY	Country	Class	Sub-class	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Answer to Complaint for Patent Infringement, Affirmative Defenses and Counterclaims, <i>Unigene Laboratories Inc., et al. v. Apotex Inc., et al.</i> , Civil Action No. 06-CV-5571 — RPP-THK, EFC Case (S.D.N.Y.) September 20, 2006

Examiner

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



CERTIFICATE OF SERVICE

The undersigned hereby certifies that he/she is one of the attorneys for Defendants, Apotex, Inc. and Apotex Corp., in the above-captioned action and that on the date which appears below, served a copy of the foregoing ANSWER TO COMPLAINT FOR PATENT INFRINGEMENT, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS by causing copies thereof to be served by first class mail to the following:

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Joseph A. DeGirolamo
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on this 20th day of September, 2006.

By:

William J. Castillo